

## *Office of the Chapter 13 Standing Trustee*

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*Isabel C. Balboa, Chapter 13 Standing Trustee<sup>†</sup>*

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June 23, 2021

The Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court  
P.O. Box 2067  
Camden, New Jersey 08102

**RE: Chapter 13 Bankruptcy  
Case No. 17-21374 (JNP)  
Debtor(s) Name: Mark F. Dority**

Dear Judge Poslusny:

Please accept this letter in lieu of a more formal response to Debtor's Notice of Motion to Suspend Plan Payments which is returnable July 13, 2021, at 11:00 a.m.

Debtor filed for Chapter 13 Bankruptcy protection on June 1, 2017. On August 2, 2018, the Court entered an Order Confirming Debtor's Chapter 13 Plan at \$6,169 paid to date, then \$753 for forty-seven (47) months. Debtor has not submitted a plan payment to the Trustee since December 2020 and is currently \$5,052.50 in plan arrears.

Debtor certifies that he lost his job due to COVID-19 last fall. Debtor started a new job at Amazon, however, went on disability in March due to shoulder injury and not expected to go back to work until August. Debtor is requesting a suspension of payments for two (2) months, with payments resuming in August 2021.

However, due to Debtor's failure to submit plan payments from January 2021 through June 2021, Debtor is essentially seeking to suspend plan payments for seven (7) months. As of this writing, Debtor has not proven a change in his financial situation. The Trustee respectfully submits that to justify a longer suspension, beginning in August as proposed, some proofs must be presented supporting Debtor's assertions and verifying what income he currently receives. While the Trustee does not oppose a suspension of plan payments, it is the Trustee's position that a suspension of plan payments for seven (7) months is unwarranted without more facts.

Based on the foregoing, unless Debtor provides proof of current income, the Trustee respectfully requests Debtor be required to submit an amended proposed Order to the Judge's chambers to include the following language:

Honorable Jerrold N. Poslusny, Jr.

Case No. 17-21374 (JNP)

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*The Chapter 13 Plan payments are hereby suspended for January 2021 through March 2021. Debtor shall resume plan payments commencing April 1, 2021. Debtor shall address the repayment of the plan arrearages through pending modified plan.*

As always, the Court is welcome to contact the Trustee with any concerns.

Respectfully submitted,

/s/ William H. Clunn, III  
William H. Clunn, III, Esquire  
Attorney for Isabel C. Balboa  
Standing Trustee

WHC/kt

cc: Joseph J. Rogers, Esquire (Via CM/ECF and e-mail)  
Mark F. Dority (Via First Class Mail)